



City Council Agenda

Council President
Tom Boyajian

Councilmembers

Garry Bredefeld, Acting Council President
Chris Mathys,
Henry Perea

Sal Quintero
Daniel Ronquillo
Ken Steitz

City Manager
Jeffrey M. Reid

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, FEBRUARY 29, 2000

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:30 A.M. **REGULAR MEETING WITH THE REDEVELOPMENT AGENCY**

Approve Agency minutes of February 15, 2000

Action Taken:

- A.** Approve employment agreement for the Redevelopment Agency Executive Director

Action Taken:

- B.** **JOINT HEARING** to recommend that the City Council and Agency Board adopt a joint resolution (1) approving a Disposition and Development Agreement between the Redevelopment Agency, and Dirk Poeschel and Diana M. Poeschel, and (2) making certain findings pursuant to Health and Safety Code Section 33433, for property at 923 Van Ness Avenue (***Council and Agency action***) (***Continue to 3:00 p.m.***)

Action Taken:

- 1.** **RESOLUTION** - Approving a Disposition and Development Agreement between the Redevelopment Agency, and Dirk Poeschel and Diana M. Poeschel (***Council and Agency action***)

Action Taken:

RECESS TO 3:00 P.M.

9:00 A.M. COUNCIL ROLL CALL

Invocation by Father Raul Sanchez of St. Alphonsus Catholic Church

Pledge of Allegiance to the Flag

Proclamation of Cal State University of Fresno's "WAC 2000 MEN'S AND WOMEN'S BASKETBALL TOURNAMENT"
- Council President Boyajian

Presentation of a Check by Department of Public Utilities Employees to Break the Barriers - Mayor Patterson

Presentation of Commendations to the Academic Decathlon Valley Championship Team - Edison High School -
Councilmember Ronquillo

Presentation of Resolution of Commendation to Linda Boen For Being Selected as Teacher of the Year - Councilmember
Mathys

Presentation of Certificates to the Hoover High School English Students - Acting President Bredefeld

Presentation of Certificates of Commendation to Hoover High School Participants in the National Engineering Design
Challenge - Acting President Bredefeld

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve minutes of February 15, 2000

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS

9:30 A.M. **HEARING** to consider an appeal of Conditional Use Permit Application No. C-99-198, filed by Kimberly Harvey, proposing a large family day care facility for up to 14 children on property located at 719 N. Fowler Avenue

Action Taken:

- a. **RESOLUTION** - Denying appeal and approving project

Action Taken:

10:00 A.M.#1 **HEARING** to consider Rezoning Application No. 99-43, filed by California Feline Foundation, for 3.24 acres of real property located on the east side of N. Hayston Avenue between E. Dakota Avenue and E. Pontiac Way (3934 N. Hayston Avenue)

Action Taken:

- a. Consider Environmental Assessment/Negative Declaration No. R-99-43

Action Taken:

- b. **BILL** - Amending the Official Zone Map to rezone from R-A zone district to the M-12 zone district

Action Taken:

10:00 A.M.#2 **HEARING** to name the Maple/Shepherd Avenues Park the “Selma Layne Park” - Acting President Bredefeld

Action Taken:

10:30 A.M. Request update from City Manager or designee regarding status of the Senior Citizen Center - Councilmember Quintero

Action Taken:

11:00 A.M. **HEARING** to consider Plan Amendment No. A-99-22, filed by the City of Fresno, to amend the 1984 General Plan “Neighborhood Streets” section regarding sidewalk installation policy

Action Taken:

- a. Consider Environmental Assessment/Mitigated Negative Declaration No. A-99-22

Action Taken:

- b. **RESOLUTION** - Adopting Plan Amendment No. 99-256

Action Taken:

11:30 A.M. **HEARING** to consider UGM Boundary Amendment No. 14 for Tract No. T-4637, Palm Bluffs Corporate Center, filed by Dirk Poeschel Land Development Services on behalf of Calcot, Ltd.

Action Taken:

- a. Consider Environmental Assessment/Mitigated Negative Declaration No. A-99-15, R-99-24

Action Taken:

- b. **RESOLUTION** - Approving the removal of approximately 2 acres of real property from the UGM area located south of W. Nees Avenue north of W. Ocala Avenue between N. Ingram and N. Harrison Avenues

Action Taken:

11:45 A.M. **HEARING** to consider amendments to Development Agreement between City of Fresno and Calcot Ltd, for Tract 4637, Palm Bluffs Corporate Center (*Continue to 3/14/2000 @ 10:00 a.m.*)

Action Taken:

****ITEMS SUBJECT TO MAYOR’S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

2:00 P.M.#1 DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)

2:00 P.M.#2 CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)

- 1. Case Name:** Isaac G. Galindo, et al. v. City of Fresno, et al.
Action Taken:

2:00 P.M.#2 JOINT CLOSED SESSION WITH THE REDEVELOPMENT AGENCY

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)

- 1. Case Name:** Civic Center Square, Inc. v. City of Fresno; Fresno Superior Court No. 612624-7
- 2. Case Name:** City of Fresno v. Civic Center Square, Inc., et al.; Fresno Superior Court No. 612629-6
- 3. Case Name:** City of Fresno v. Gordon Webster, et al.; Fresno Superior Court No. 61230-4
- 4. Case Name:** City of Fresno v. Civic Center Square, Inc.; Fresno Superior Court No. 612631-2
Action Taken:

3:00 P.M. JOINT MEETING WITH THE REDEVELOPMENT AGENCY

A. CONTINUED JOINT HEARING to recommend that the City Council and Agency Board adopt a joint resolution (1) approving a Disposition and Development Agreement between the Redevelopment Agency, and Dirk Poeschel and Diana M. Poeschel, and (2) making certain findings pursuant to Health and Safety Code Section 33433, for property at 923 Van Ness Avenue (*Council and Agency action*)

Action Taken:

- 1. RESOLUTION** - Approving a Disposition and Development Agreement between the Redevelopment Agency, and Dirk Poeschel and Diana M. Poeschel (*Council and Agency action*)
Action Taken:

- B. * RESOLUTION** - 82nd amendment to AAR No. 99-181 appropriating \$40,000 for the Water Tower Visitor's Center Project (*Requires 5 affirmative votes*)
Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

3:00 P.M.

JOINT MEETING WITH THE REDEVELOPMENT AGENCY CONTINUED

- C. Receive timeline for cost and process to obtain bond financing regarding Fresno Convention Center, Selland Arena and renovation of old Exhibit Hall - Councilmember Perea

Action Taken:

1. Phase I of Fresno Convention Center Modernization: (Councilmember Quintero)
 - a. Direct City Manager to issue a Request for Qualifications (RFQ's) for firms to provide design/architectural services including bid specifications to remodel the old Exhibit Hall
- b. Direct City Manager to issue a Request for Qualifications (RFQ's) for firm to complete parking garage user/demand analysis, complete with financial projections, preliminary design and size operating budgets. Selected firm would also complete specifications

Action Taken:

ADJOURN AGENCY

- 5:30 P.M.** **HEARING** to consider Plan Amendment Application No. A-99-03, Rezoning Application No. R-99-06, and environmental findings, filed by Roger E. Petersen, for 18.23 acres of real property located at the southeast corner of N. Palm and W. Herndon Avenues (*Applicant requests continuance to April 25, 2000 @ 5:45 p.m.*)

Action Taken:

1. Consider Environmental Assessment/Mitigated Negative Declaration No. A-99-03, R-99-06
2. **RESOLUTION** - Amending the Bullard Community Plan
3. **BILL** - Amending the Official Zone Map to rezone from the R-A zone district to the C-2/EA/cz (10.77 acres) and the C-P/EA/cz (7.46 acres) zone districts

Action Taken:

1A.

GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

1. Award a contract to construct well site improvements at Pump Station 3A
2. Award a contract to furnish and install a deaeration tank and well site improvements at Pump Station 185

Action Taken:

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A. GENERAL CONSENT CALENDAR CONTINUED

3. Approve a subordination agreement to accommodate the Annadale Housing Corporation's restructure of debt owed to Savings Associations Mortgage Company, Inc.
Action Taken:
4. * Authorize the Chief of Police to renew an agreement with the Housing Authority in order for the City to receive \$100,000 for the purpose of providing crime prevention, community education and police patrol services at selected public housing complexes
Action Taken:
5. * **RESOLUTION** - 75th amendment to AAR No. 99-181 appropriating funds received from the Commission on Peace Officer Standards and Training (P.O.S.T.) for the purposes of providing training equipment and additional training courses for law enforcement personnel (*Requires 5 affirmative votes*)
Action Taken:
6. Approve three (3) land leases between the City of Fresno and the Federal Aviation Administration (FAA) - Lease No. DTFA08-00-L-20301, Lease No. DTFA08-00-L-20302, and Lease No. DTFA08-00-L-20172
Action Taken:
7. Approve amendment to agreement with Table Mountain Rancheria for the sale, removal and maintenance of Fort Miller Blockhouse, extending the time to complete the restoration
Action Taken:
8. **RESOLUTION** - Of intention to annex Tract Nos. 4484 and 4902 to the City of Fresno Community Facilities District No. 2, Annexation No. 19 and to authorize the levy of special taxes
Action Taken:
9. **RESOLUTION** - Designating Krueger, Inc., as the sole source supplier of the Krueger "Actiflo" clarification system without competitive bidding under the sole source exception for the Surface Water Treatment Facility Project
Action Taken:
10. **RESOLUTION** - Amending subsection (g) of Section 6 of Resolution No. 98-59, amending the time allowed for a decision to be served on the parties of an appeal heard by a Hearing Officer
Action Taken: \

1B. CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS

1. * **BILL** - Repealing subsection (c) of Section 3-404 of the Fresno Municipal Code relating to exemption from payment of prevailing wages
Action Taken:
2. * **BILL** - Adding Section 11-220.1 to the Fresno Municipal Code relating to permits for the placement of postal and package drop boxes in the public street right-of-way
Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION CONTINUED - PINK TABS**

3. * **BILL** - Adding Section 8-808 (h) to the Fresno Municipal Code relating to the placement of newspaper vending racks in the public street right-of-way

Action Taken:

4. * **BILL** - Amending Section 2-1801 of the Fresno Municipal Code adding annual leave which is accrued in lieu of vacation leave and sick leave for participating City employees

Action Taken:

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. **RESOLUTION** - Supporting the Protection of Marriage Initiative (Proposition 22) - Councilmember Steitz

Action Taken:

- B. * **RESOLUTION** - 79th amendment to AAR No. 99-181 appropriating \$4,400 of District 3's general fund infrastructure budget to fund \$1,900 for the Artes Americas Museum and \$2,500 for the African American Museum (**Requires 5 affirmative votes**)- Councilmember Ronquillo

Action Taken:

- C. * **RESOLUTION** - 59th amendment to AAR No. 99-181 appropriating \$600 of District 4's general fund infrastructure budget to fund the NFL Gatorade Punt, Pass & Kick Competition organized by the C.S.U.F. Athletic Corporation (**Requires 5 affirmative votes**) - Councilmember Steitz

Action Taken:

- D. * **RESOLUTION** - 81st amendment to AAR No. 99-181 appropriating \$9,300 of District 5's general fund infrastructure budget to fund \$2,000 for the Insurance and Counseling Advisory Program, \$3,000 for the teen festival and \$4,300 for the Court of Honor Monument at Fresno City College (**Requires 5 affirmative votes**)- Councilmember Quintero

Action Taken:

- E. **RESOLUTION** - Opposing the Unfunded Gang Violence and Youth Prevention Act (Proposition 21) - Councilmember Perea

Action Taken:

- F. **RESOLUTION** - Fund Police Reserve Recognition Dinner - Councilmember Perea

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

Action Taken:

5. **CITY COUNCIL ITEMS CONTINUED**

- G. Reference to Council to consider whether Council should review the Planning Commission action on Conditional Use Permit Application No. C-99-149 relating to a flagpole and courtyard area at the Fresno Memorial Auditorium and schedule a public hearing - Councilmember Ronquillo

Action Taken:

- H. Consider recommending to the Mayor the inclusion of \$29,000 funding for the Fresno Police Memorial in the 2000-2001 budget - Councilmember Ronquillo

Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Mar. 7 - NO MEETING - ELECTION DAY

Mar. 14 - 9:30 A.M. HEARING re: corrected exhibits and final approval for CUP Appl. No. C-98-156, filed by Orange Avenue Disposal for surface mining, property located at 10251 N. Rice Rd.

Mar. 14 - 10:00 A.M. CONTINUED HEARING re: amendment to Development Agreement between City of Fresno and Calcot LTD for Tract 4637 (Palm Bluffs Corporate Center)

Mar. 14 - 10:15 A.M. HEARING re: Rezone R-00-02, Glen Self, westside Maple betw. Shepherd & Perrin

Mar. 14 - 10:30 A.M. HEARING re: P.A. No. A-99-30/Rezone Appl. No. R-99-45, filed by Riverview Estates

Mar. 14 - 11:00 A.M. TEFRA HEARING re: Park West Apartments Project

Mar. 21 - 9:30 A.M. HEARING re: P.A. No. A-99-34, Rezone Appl. No. 99-50, filed by Roger Peterson

Mar. 21 - 10:00 A.M. HEARING re: weed abatement

Mar. 21 - 10:30 A.M. HEARING re: P.A. No. A-99-29, Rezone Appl. No. R-99-44, filed by James W. Logan on behalf of Linda Williams

Mar. 21 - 11:00 A.M. HEARING re: Annexation No. 18, Community Facilities District No. 2

Apr. 4 - 10:00 A.M. HEARING re: Community Facilities District No. 2, Annexation No. 19

Apr. 4 - 10:30 A.M. HEARING re: Text Amendment re: front yard fencing. TA -00-01

Apr. 18 - NO MEETING

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

Apr. 25 - 5:45 P.M. CONTINUED HEARING to consider Plan Amendment Application No. A-99-03,
Rezoning Application No. R-99-06, filed by Roger E. Petersen

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***